

**SENATE AMENDMENT 2,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 273**

January 28, 2008 – Offered by Senators A. LASEE and COWLES.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 8, line 23: delete “Each day of violation constitutes a separate offense.”.

3 **2.** Page 9, line 3: delete “Each day of violation constitutes a separate offense.”.

4 **3.** Page 9, line 6: after “(3g)” insert “or (3r)”.

5 **4.** Page 9, line 9: after “(3g)” insert “or (3r)”.

6 **5.** Page 9, line 15: after that line insert:

7 “**SECTION 23d.** 101.16 (5) (cg) of the statutes is created to read:

8 101.16 (5) (cg) Paragraphs (b) and (c) do not apply to intentional violations of
9 subs. (3g) or (3r).

10 **SECTION 23g.** 101.16 (5) (cm) of the statutes is created to read:

11 101.16 (5) (cm) Except as provided in par. (cn), any retail supplier who
12 intentionally violates sub. (3g) or (3r) shall be imprisoned not less than 30 days nor

1 more than 6 months or shall be fined not less than \$500 nor more than \$1,000 for the
2 first offense and not less than \$2,000 nor more than \$5,000 for each subsequent
3 offense.

4 **SECTION 23k.** 101.16 (5) (cn) of the statutes is created to read:

5 101.16 (5) (cn) Any retail supplier who only fills department of transportation
6 cylinders or containers for engine and recreational vehicles and who intentionally
7 violates sub. (3g) or (3r) shall be imprisoned not less than 30 days nor more than 6
8 months or shall be fined not less than \$200 nor more than \$400 for the first offense
9 and not less than \$800 nor more than \$2,000 for each subsequent offense.

10 **SECTION 23n.** 101.16 (5) (cr) of the statutes is created to read:

11 101.16 (5) (cr) 1. Each day of violation of sub. (3) constitutes a separate offense.

12 2. Each day of violation of sub. (3g) constitutes a separate offense.

13 3. Each day of violation of sub. (3r) constitutes a separate offense.

14 4. Each day of violation of sub. (4) constitutes a separate offense.”.

15 **6.** Page 9, line 17: after “(3g)” insert “or (3r)”.

16 **7.** Page 10, line 4: substitute “\$2,000” for “\$2000”.

17 **8.** Page 10, line 19: after that line insert:

18 **SECTION 28m.** 182.0175 (1) (bu) of the statutes is created to read:

19 182.0175 (1) (bu) “Pavement” means asphalt or concrete pavement.”.

20 **9.** Page 13, line 11: delete lines 11 and 12 and substitute “of the excavation
21 process to penetrate and remove the surface layer of pavement. When the
22 underground transmission facility is becomes exposed or if the”.

23 **10.** Page 14, line 11: substitute “takes” for “take”.

24 **11.** Page 14, line 12: substitute “statutes,” for “statutes”.

